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The Inter-American Conference on Problems of War and Peace

by

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The Inter-American Conference on Problems of War and Peace, which met in February-March 1945, must be considered as one of the many international conferences paving the way for the final establishment of a new world organisation for international security and economic and social progress. Some of its decisions were of a political character, and many of them concerned solely or primarily the American nations. It was emphasised, however, that any measures suggested for inter-American security or economic and social development should be in harmony with or integrated in the wider plans of the future world organisation. Great attention was paid to social questions, more particularly the problem of raising the standard of living of the Latin American countries. The Conference is therefore of great importance, not only for the Americas but also for the world as a whole. In the following article Mr. Lopes, who was one of the International Labour Office observers at the Conference, analyses its more important declarations and resolutions. As will be seen, reference is made in more than one of these to the Conventions adopted and the principles laid down by successive sessions of the International Labour Conference.

THE Inter-American Conference on Problems of War and Peace was convened by the Mexican Government in a note sent on 10 January 1945 to the Governments of the republics of the American continent which were members of the Pan American Union and were co-operating in the war effort of the United Nations. This meant in effect that all the States of the American continent were invited with the exception of Canada and Argentina. The invitation pointed out that the Governments of the American republics which were among the United Nations had expressed a desire to meet in order to consider means for extending their colla-

boration and to discuss the participation of America in the future international organisation of the world, as well as the question of the inter-American system and the economic solidarity of the continent.

It will be recalled that the American republics have been holding international conferences roughly every five years since 1890, the eighth and most recent having been held in Lima in 1938. Nor are these the only meetings that have taken place. At the Buenos Aires Conference in 1936 the American countries set up machinery for consultation between their Ministers of Foreign Affairs—machinery which can be set in motion by one or more Governments when they consider that circumstances call for it. Since that time there have been three meetings for consultation: at Panama in 1939, at Havana in 1940, and at Rio de Janeiro in 1942. The Conference in Mexico City cannot be considered as one of these consultative meetings but must be counted as an extraordinary inter-American conference.

The interest taken by the American republics in this Conference is shown by the fact that all the delegations except three were headed by the Ministers of Foreign Affairs of the countries concerned and included in addition a number of other eminent personalities. The Director General of the Pan American Union was an honorary member of the Conference. The International Labour Office, the Pan American Sanitary Bureau, and the Economic and Financial Section of the League of Nations were represented by observers. The Conference was held in the historic palace of Chapultepec in Mexico City from 21 February to 8 March 1945. The inaugural meeting was presided over by Mr. Avila Camacho, President of the Republic of Mexico. At a preliminary meeting Mr. Ezequiel Padilla, Minister of Foreign Affairs of Mexico, was unanimously elected President of the Conference. The secretariat was organised by the Mexican Government under the supervision of Mr. M. Tello, Under-Secretary of State in the Ministry of Foreign Affairs.

Agenda and Committees of the Conference

The agenda of the Conference, as drawn up by the Mexican Government after consultation with the other Governments, was as follows:

(1) Further co-operative measures for the prosecution of the war to complete victory;

(2) Consideration of problems of international organisation for the maintenance of peace and collective security:

(*a*) World organisation;
(*b*) The further development of the inter-American system and its co-ordination with the world organisation;

(3) Consideration of the economic and social problems of the Americas:

(*a*) Economic co-operation during the war and in the transitional period;
(*b*) Consideration of methods to develop such co-operation for the improvement of economic and social conditions of the peoples of the Americas, with a view to raising their standard of living;

(4) Consideration of the resolution adopted on 8 January 1945 by the Governing Board of the Pan American Union concerning the request of the Argentine Government.

The various items on the agenda were referred to a number of committees set up by the Conference. There were only eight plenary sittings, which were devoted mainly to speeches and declarations by the heads of delegations. The committees which may be considered as the most important were seven: an organisation committee under the chairmanship of the President of the Conference, which was responsible for ordering its work, and six other committees dealing respectively with: (1) the development of the war effort (chairman: Mr. P. Leão Velloso, Acting Minister of Foreign Affairs of Brazil; reporter: Mr. Adolf A. Berle, Jr., member of the American delegation and United States Ambassador to Brazil); (2) the study of the world organisation (chairman: Mr. Edward Stettinius, Jr., Secretary of State of the United States of America; reporter: Mr. C. Parra Perez, Minister of Foreign Affairs of Venezuela); (3) the development of the inter-American system (chairman: Mr. A. Lleras Camargo, Minister of Foreign Affairs of Colombia; reporter: Mr. Luis Anderson, former Minister of Foreign Affairs of Costa Rica); (4) economic and social problems (chairman: Mr. G. Cuervo Rubio, Minister of Foreign Affairs of Cuba; reporter: Mr. L. Demetrio Tinoco Castro, former Minister of Foreign Affairs of Costa Rica); (5) economic problems during the post-war period (chairman: Mr. Manuel C. Callagher, Minister of Foreign Affairs of Peru; reporter: Mr. O. Gajardo Villarroel, Dean of the Faculty of Economics and Commerce of the University of Chile and former Minister of Justice); (6) final drafting and co-ordination of draft resolutions (chairman: Mr. Jacobo Varela, former Minister of Foreign Affairs of Uruguay). There was also a committee to co-ordinate the work of the second and third com-

mittees, under the chairmanship of Mr. C. Ponce Enriguez, Minister of Foreign Affairs of Ecuador, and a credentials committee.

In accordance with the usual procedure at the Pan American Conferences, there were no documents prepared in advance as a basis of discussion, but there was a volume published by the Pan American Union containing information for delegates as to the resolutions adopted by previous conferences.[1] Each delegation submitted such draft resolutions as it considered appropriate and these were distributed to the various committees by the organisation committee. There were in all some 180 draft resolutions which offered full scope for expressing the points of view and aspirations of all the countries present. Many of these texts were subsequently condensed and combined into single resolutions by the committees which discussed them, and the decisions of the Conference were finally embodied in 60 resolutions.[2]

Conditions of space preclude an analysis of each of those resolutions. Several of them contain principles which are also mentioned in others, and in any case a number of them, although of great interest from the humanitarian point of view or from the angle of international law, are dwarfed in importance by the main resolutions, which are: (1) the resolution concerning the new world organisation for security; (2) the resolution on mutual aid in the event of aggression and the strengthening of the inter-American system; (3) the statement of the social principles of the Americas; (4) the Economic Charter of the Americas; (5) the decision concerning Argentina.

The Declaration of Mexico

Since 1890, when the Pan American Union was founded, the countries of the western hemisphere have met periodically to discuss collaboration between them. These meetings, which were recommended at a very early stage by Bolivar and other statesmen of the American continent, drew up principles for joint action. The feeling of solidarity which animates the American republics has been repeatedly expressed. These countries have constantly emphasised their belief in such principles as respect for international law, legal equality between States, non-intervention in the internal affairs of other States, condemnation of military aggression, non-recognition of territory acquired by force, the peaceable settlement of international disputes, and respect for the rights of the individual.

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[1] Inter-American Conference on Problems of War and Peace: *Handbook for the Use of Delegates* (Mexico, D.F., Feb. 1945).

[2] The official English text of the resolutions is being prepared by the Pan American Union and had not appeared at the time of going to press.

Many of those were reaffirmed at Mexico City. In resolution XIII the Conference formally recommended that the essential principles of international law should be incorporated in their constitutions by the American Governments. It also asserted these principles afresh and laid down others which, in its opinion, should guide international relations. In a number of resolutions, including in particular the "Declaration of Mexico", the Conference emphasised, among other points: the adherence of the American States to democratic principles; the need for establishing equality of opportunity for all individuals as an essential right; the place of education and welfare in the progress of democracy; the need for economic collaboration to ensure common prosperity for the American nations; the desirability of an economy of abundance in the Americas; the principle that the existence of an inter-American community of nations can help to promote world co-operation. It is of interest to note that according to this Declaration the raising of standards of living should in future be considered as one of the principles of international law by the American nations.

But it was not merely to renew their declarations of adherence to these principles, important as they are, that the American delegations met in Mexico. In addition to the other groups of problems already referred to, they were particularly anxious to discuss the conditions of the future peace of the world. As President Avila Camacho put it: "There is a risk that if we do not make a united effort the peace settlement may disregard to some extent the needs and aspirations of the Americas."

The World Security Organisation

The discussions which took place at Mexico are linked up in many ways with the burning questions of world politics. There are, for example, the resolutions concerning the principles already proclaimed by the United Nations. The American Governments reaffirmed their adherence to the Atlantic Charter and condemned measures of racial discrimination. The Conference also recommended that the Governments of the American republics should not grant refuge to war criminals (resolution VI) and stated that the war could not be considered to have been victoriously terminated so long as centres of totalitarian propaganda or subversive elements continued to exist after the peace settlements. This danger was clearly brought out by President Avila Camacho, and the Conference expressly declared that there were signs that Germany and Japan were endeavouring to conceal financial resources—sometimes illegally acquired in the conquered countries—with a view to finan-

cing subversive activities after the war. In order to prevent this the Conference recommended such measures as the rejection of aliens suspected of being Axis agents (resolution XLII); individual or collective action by the American Governments to destroy centres of influence retained by the Axis countries or their satellites (resolution VII); measures to detect and prevent the transfer of property belonging to enemy nationals (resolution XIX). Where necessary this property would be returned to the legitimate owner.

Statements by Mr. Stettinius

It was not only in those resolutions that the Mexico Conference dealt with matters outside the strict purview of the American continent. The Conference must, indeed, be considered as one of the series of international conferences helping to pave the way for the future peace. It stands between Dumbarton Oaks and Yalta on the one hand and San Francisco on the other. The proposals drafted at Dumbarton Oaks by the great powers with regard to the future world organisation were communicated to the Latin American countries by the State Department of the United States. In addition, Mr. Stettinius informed the delegates of the results obtained at Yalta. He pointed out that the two Conferences at Yalta and at Mexico were dealing fundamentally with the same problems. When questions of war and peace were at stake there were no purely European problems and no problems which were exclusively American, African or Asiatic. War in any part of the world was a threat to the world as a whole, and the prosperity, well-being and security of the American peoples were closely linked up with the prosperity, well-being and security of other continents and lands. When addressing the plenary Conference, Mr. Stettinius gave no more details on the Yalta Conference than those already published in the official communique. He took the opportunity, however, of explaining afresh the principal aims of the United States in its foreign policy. He pointed out that the "good neighbour" policy and the fullest possible development of inter-American co-operation were essential factors in achieving victory and in building up a world in which peace and democracy would flourish. World democracy presupposed the co-operation of all nations, large and small, acting with complete equality and full sovereignty. After the war each of the liberated peoples would be entitled freely to elect its own Government; the United States considered this right as one of the cardinal points of its foreign policy. Another of them was that neither Germany nor Japan must be allowed to build up again the industrial and military strength which were the founda-

tion of their power of aggression. The creation of an international body to guarantee the peace of the world, by force if necessary, was also one of the essential aims of United States policy. This body must be based on two principles: unity of action by the great powers which alone had the means of preventing aggression, and equal sovereignty for all nations, large and small, which were working together to establish the necessary conditions for a lasting peace. This world organisation, Mr. Stettinius added, would be all the stronger if the inter-American regional system was firmly established. Another fundamental point in United States policy was the declaration contained in the Atlantic Charter and confirmed by the Yalta Conference that "all the men of all the lands may live out their lives in freedom from fear and want".

Mr. Stettinius returned to the question of the world organisation in an important speech to the second committee, of which he was chairman. In this speech he invited the other American nations to the San Francisco Conference and explained to them the agreement reached at Yalta concerning the procedure for voting on the Security Council of the new organisation. It will be remembered that this question was left open at Dumbarton Oaks, but the details of the Yalta agreement have since been published.

In thanking Mr. Stettinius for this communication, Mr. Padilla, President of the Conference, stated that the small nations did not claim equal participation in a world in which responsibilities were unequal. All they asked was the right to make themselves heard when injustice threatened them. Consequently, Mr. Padilla considered that the proposed organisation of the Security Council announced by Mr. Stettinius represented an important step forward in the spread of democracy.

Discussion of the Dumbarton Oaks Plan

The Latin American republics accepted the proposals drafted at Dumbarton Oaks by the great powers as a suitable basis for discussing the new world system of collective security. Their interest in this matter is clearly brought out by the fact that no less than fifteen of them prepared memoranda containing their views on the Dumbarton Oaks proposals.[1] Mr. Parra Perez, Minister of Foreign Affairs of Venezuela, as reporter of the second committee, had the task of co-ordinating these notes and building them into a systematic analysis. After considering all the proposals, the Mexico Conference adopted resolution XXX concerning the most important changes in the initial draft suggested by the delegations

[1] Cf. *Diario de la Conferencia Interamericana sobre Problemas de la Guerra y de la Paz*, No. 11 (Mexico, D.F., 5 Mar. 1945).

of the American countries. In doing so, the Conference took full account of the observations made on the Dumbarton Oaks plan by the Inter-American Juridical Committee.

The first point brought out by the Conference in its resolution is that the new organisation should aim at universality, although it was realised that this ideal could not be immediately achieved. In accordance with this principle of universality the delegations of Brazil, the Dominican Republic, Mexico and Venezuela proposed that it should be impossible to expel any member from the organisation. The Conference further considered that the enumeration of the aims of the new organisation should be extended. The Venezuelan delegation, for instance, following a proposal of the Juridical Committee, suggested that the enumeration should mention good faith and justice in international relations. The third proposal made in the resolution is for the amplification of the powers of the General Assembly of the new organisation so as to make its action more effective. The Conference considered that the Assembly, consisting as it will of all the States Members, was the only body in the new organisation which was fully representative of the international community. Its powers and authority should therefore be wider than suggested in the Dumbarton Oaks plan.

Another point in which the Latin American countries showed special interest was the extension of the jurisdiction and competence of the proposed court of international justice. The Cuban and Venezuelan delegations submitted important proposals concerning the organisation of this court. The fifth point dealt with in the resolution is the creation of a special international body to promote intellectual and moral co-operation.

The resolution also refers to two other points on which the delegates were unanimous. One was the desire to secure appropriate representation for Latin America in the new Security Council; the other was the principle that disputes between American States should be settled according to the methods of the inter-American system in harmony with those of the general world organisation. Extending this principle to other parts of the world, the delegates expressed the view, although they did not incorporate it in the formal text of the resolution, that the Assembly and the Security Council should not intervene in disputes until all regional measures for securing peaceful settlement had broken down. This stress on regionalism is a logical development of the efforts made by the Mexico Conference to strengthen the inter-American system.

The memoranda submitted by the various delegations in connection with the Dumbarton Oaks proposals made various other suggestions which cannot be discussed in this article but which

all bore testimony to a strongly constructive spirit. As Mr. Parra Perez, speaking for the second committee, said: "The American republics are convinced that the ideal which underlies the inter-American system can be realised only by the concerted action of all peace-loving nations."

The Strengthening of the Inter-American System

The solidarity of the countries of the western hemisphere has been strengthened in recent years, more particularly since President Roosevelt introduced the "good neighbour" policy and since the threat of totalitarian aggression led these countries to consult together more frequently than in the past. After Pearl Harbour practically all the American States sided with the United States, in fact if not in actual legal position. Some of them, such as Brazil and Mexico, made or are preparing to make a valuable military contribution, while others have provided bases or the raw materials required by the armed forces and the industries of the United States. Mr. Gustavo Chacón, Minister of Foreign Affairs of Bolivia, gave the Conference a striking picture of the arduous conditions under which 75,000 miners in his country were extracting from the soil the raw materials required by the United States.

This collaboration in the war effort has strengthened the political and economic bonds between the American States. A number of international bodies, which will be referred to later in this article, have been set up in the last few years. These institutions and these bonds together make up what is known as the "Inter-American System". The Mexico Conference made it clear that the American States intend to strengthen this system, but they do not wish to set it up in opposition to any international system. As Mr. Fernandez y Fernandez, Minister of Foreign Affairs of Chile, said: "We would be doing a disservice to the world if our system aimed merely at creating a better American world for our own exclusive benefit. In that case we would merely have established on a continental basis that hateful nationalism which others have built up within the frontiers of a single nation. I believe I am expressing the feelings of all the delegations present in saying that the American continent as a whole, and each American State individually, supports the universal principles of freedom of circulation of wealth, freedom of trade, free access to sources of raw materials, and freedom of migration." "Our republics," said Mr. Parra Perez, Minister of Foreign Affairs of Venezuela, "consider that the inter-American system can be harmoniously built into the machinery of world organisation and that the co-ordinated development of both can

secure the establishment of peace and justice throughout the world." Finally, according to the text adopted by the Conference itself, the inter-American system is considered as a regional agreement which must be compatible with the principles and aims of the world organisation. The strengthening of the inter-American system is dealt with more particularly in resolutions VIII and IX, the first of which is known as the Declaration of Chapultepec and deals with mutual assistance and American solidarity, while the second deals with the reorganisation, consolidation and strengthening of the inter-American system.

The Declaration of Chapultepec

The Declaration of Chapultepec is based on a number of draft resolutions submitted by the delegations of Brazil, Colombia, Uruguay, and others. President Avila Camacho referred to it as one of the most important documents produced by the Conference, and Senator Connally of the United States delegation expressed the view that it would prove a landmark in the progress of the western hemisphere towards security and peace.

The Declaration recalls the principles of international law adopted by successive inter-American conferences, and in particular declaration No. XV of the second consultative meeting of American foreign ministers, to the effect that any attack by a non-American State on the territorial integrity and inviolability, the sovereignty or the political independence of an American State would be considered as an act of aggression against all the other American States. The present Declaration extends this principle to cases in which the aggressor is an American State, on the grounds that in both cases the security and solidarity of the continent are equally jeopardised. It adds that in every case an act of aggression should be deemed to have been committed when the armed forces of one State invade the territory of another, violating its established frontiers as laid down by treaty. If an act of aggression should take place or if there are reasons to suspect that such an act is being planned against an American State, the signatory States will consult to decide on the measures to be taken. The second part of the resolution *recommends* that after the present hostilities the Governments of the American republics should consider, in the light of their respective constitutional procedures, the conclusion of a treaty embodying the measures to be taken to prevent threats or acts of aggression. These measures, which might be adopted by some or all of the signatory States acting alone or simultaneously, would include the recall of the heads of diplomatic missions, breaking off diplomatic relations, breaking off consular relations, break-

ing off postal, telegraphic, telephonic and wireless communications, suspension of economic, commercial, and financial relations, and, finally, the use of armed force to prevent or repel aggression.

The signatories of the Declaration recognise that until peace is restored any aggression or threat of aggression would impede the war effort of the United Nations. They therefore urge that if either of these situations should arise the States concerned should apply, within the limits set by their normal or extraordinary (war-time) constitutional powers, any of the measures enumerated above which they may consider necessary.

Reorganisation of the Pan American Union

The resolution dealing with the reorganisation, consolidation and strengthening of the inter-American system provides that in future inter-American conferences should be held every four years and should constitute a kind of supreme instrument for initiating general inter-American policy. In addition to these ordinary conferences, the Ministers of Foreign Affairs or, in exceptional cases, special delegates appointed by them should be convened annually by the Governing Board of the Pan American Union to ordinary consultative meetings. It would be the task of these meetings to take decisions on the most urgent and important questions and on any situations or disputes liable to disturb the peace of the western hemisphere. The present tasks of the Governing Board of the Pan American Union should also be extended. It would deal in the first instance with any question likely to affect the working of the inter-American system or to threaten the solidarity and well-being of the American countries. The Governing Board would in future consist of *ad hoc* representatives holding the rank of ambassador but not at the same time fulfilling diplomatic functions in the country in which the Union has its headquarters, namely, the United States of America. The Governing Board would meet once a week, and a new chairman would be appointed annually. The Director-General of the Union on the other hand would be appointed for a period of ten years. He would not be eligible for re-election, and his successor could not be of the same nationality. The present Director-General is Dr. L. S. Rowe, to whom the Mexico Conference paid tribute in a special resolution.

In addition to the meetings of the foreign ministers and of the Governing Board of the Pan American Union, the inter-American system would comprise other machinery. At present there exist a number of organisations for collaboration, including a Committee for Political Defense, an Inter-American Defense

Board, and an Inter-American Juridical Committee. Some of those are definitely retained. Others, however, were set up to meet an emergency situation and will have to be approved subsequently or else replaced by more permanent bodies. For example, the Inter-American Financial and Economic Advisory Committee, which is at present making preparations for the Economic and Financial Conference to be held in Washington[1], will eventually be replaced by a more permanent body attached to the Governing Board of the Pan American Union—the Inter-American Economic and Social Council, the members of which will be appointed by their respective Governments. The new Council will co-ordinate all official inter-American activities in the economic and social fields. It will also be responsible for promoting social progress and the raising of the standard of living of the American peoples; it will carry out studies on its own initiative or at the request of Governments on any economic or social question; it will keep in touch with the Economic and Social Council of the new world organisation and with other international institutions working in the same field as itself. The Governing Board of the Pan American Union will organise this Council provisionally, but the final decision as to its composition will be taken at the Conference to be held at Bogota in 1946.

One of the proposals on which the above resolution was based was put forward by the United States delegation. It made provision for the creation, in addition to an economic and social council, of an educational and cultural council which would also be under the control of the Governing Board of the Pan American Union and would have somewhat similar duties in its own particular sphere. It was suggested that this council would facilitate the exchange of information and consultation between the American republics and assist any American countries which so desired to establish and apply constructive educational and cultural programmes, and, if necessary, maintain contact with the corresponding body in the new world organisation and with other international institutions specialising in educational and cultural matters. The Conference gave effect to this idea by deciding to retain the Division

[1] The agenda of the Conference consists of six items: (1) fundamental economic aims of the American countries; (2) problems of the transition from war to peace; (3) production and consumption; (4) finance and investment; (5) international trade; (6) transport, telecommunications and travel. Each of these items contains several subdivisions, among which mention may be made of the raising of the standard of living by improved production, development of the standard of employment, improvement of public health and housing, the possible creation of an international economic organisation, the improvement of labour conditions, the compilation of wages statistics, and immigration and settlement based on the principle of selection.

of Intellectual Co-operation, which is expressly mentioned in the resolution.

The resolution adopted at Mexico instructed the Governing Board to prepare a draft charter to improve, simplify and strengthen the machinery of the inter-American system. The draft must be submitted to the various Governments before 31 December 1945 and must enunciate the principle that international law is the rule of conduct of all countries in the western hemisphere. The charter will bind the American States to respect the principles to be laid down in two declarations which will be appended to the charter but will not form part of it. The first of those will deal with the rights and duties of States and will embody a number of principles mentioned in the resolution; the second, dealing with the international rights and duties of mankind, must be drafted by the Inter-American Juridical Committee for submission to a meeting of American legal experts.

The Mexico Conference discussed again, without reaching any formal decision, the proposal for setting up an inter-American court of international justice, which had been approved by the Lima Conference. The Conference adopted a resolution (No. IV) concerning the creation of a permanent military organisation consisting of representatives of the general staffs of all the American republics. This body would take the place of the present Inter-American Defense Board and would be responsible for suggesting to the Governments of the American States measures for improving their military co-ordination and guaranteeing the defence of the western hemisphere. Once it has been set up it will have to study certain problems already discussed by the Conference which bring out once again the development of the Pan American idea, such as the promotion of uniformity in the armaments of all countries of the continent. The decision to set up this body must be considered in the light of the Declaration of Chapultepec and the principle it lays down of mutual assistance in the event of aggression. The Conference also suggested the establishment of certain other institutions, such as an inter-American transportation organisation. This point is referred to in resolution XLVIII concerning measures for developing transportation, especially maritime transport, and reducing its cost.

Social Questions

Right from the beginning of the Conference it was clear that the American States attached great importance to social problems. In his inaugural address President Avila Camacho laid down three principles:

(*a*) A just social order must guarantee a minimum standard of existence to every individual irrespective of his race or place of birth;

(*b*) This ideal can be achieved only by international co-operation;

(*c*) From the point of view of peoples still in course of development, such as the Latin American countries, this international co-operation cannot take the form of unilateral aid, which is impracticable in the long run for the strong countries and unhealthy and discouraging for the weaker ones.

These ideas were elaborated by Mr. Padilla in his address to the plenary sitting, in which he emphasised the social aspirations which are so much in the foreground at present in the American countries and more especially in Latin America. The fact that one resolution submitted to the Conference suggested that this speech should be given the title of a "doctrine" shows that the words of the Mexican minister were not simply an expression of the views of his own Government. Indeed, the President of the Conference put political considerations into the background and laid special stress on the social problems of Latin America. He spoke eloquently of the poverty which reigns in large areas of the continent. "Over an area of more than 30,000,000 square kilometres," he said, "the vast majority live frustrated lives. . . America must put an end to the Dantesque picture of a mankind without hope, ravaged by tuberculosis, malaria, malnutrition and silicosis. . . If it is not to be a farce, democracy must guarantee the people work, fair wages, and decent homes; it must build schools, hospitals, gardens; it must—and this is its most characteristic duty—establish economic security based not on dictatorship and slavery but on true liberty. That is the battle which America has still to fight." The question was, however, how Latin America could set up the necessarily costly organisations required for social security and economic expansion. This could be done only by collaboration, not merely between countries of Latin America but also with the United States. Technological progress had reached magnificent dimensions in the United States, as was shown by its war production. This must not be paralysed by the coming of peace, for sixty million men and women demanded the maintenance of their wages and their high standard of living. For the first time in history the means of production were limitless, and what was required was to give the masses of Latin America corresponding purchasing power. To do this, Mr. Padilla said, Latin America must be industrialised and must break the chains of its purely agricultural and semi-

colonial economy. In conclusion, he alluded to the suppression of commercial barriers as a point on which everyone was agreed, "provided due respect was paid to the principle laid down by the International Labour Organisation that the reluctance of any nation to adopt humane conditions of labour forms an obstacle in the path of other nations desiring to attain that essential goal". In short, one of the problems of Latin America is the destitution of the people; this problem can be solved only by industrialisation; for that, the collaboration of the United States is essential.

In his speech to the plenary sitting, immediately following that of the President of the Conference, Mr. Stettinius promised the collaboration of his country in the programme sketched by Mr. Padilla. In addition to his statement on the political aspects, which was outlined above, Mr. Stettinius declared that the United States intended to propose measures for the closest co-operation in the fields of public health, improved nutrition, supplies of foodstuffs, workers' education, the freedom of the press, transportation, and economic development, including industrialisation and the modernisation of agriculture. It may therefore be concluded that the "good neighbour" policy inaugurated by President Roosevelt, which has already produced a number of agreements involving the assistance of the United States in the social development of Latin America, will be continued after the war.

Other speakers gave expression to the same social aspirations. Mr. Jacobo Varela, former Minister of Foreign Affairs of Uruguay and leader of his country's delegation, expressed the hope that the American States would draw up a declaration of the social rights of the individual. Some of the points he mentioned were actually incorporated in various resolutions of the Conference. Mr. Cuervo Rubio, Minister of Foreign Affairs of Cuba, dealing with the conditions to be fulfilled by the Americas if they were to play their appropriate part in the world, said: "An illiterate, starving people, reduced to a state of inferiority by injustice, inequalities and neglect, cannot fulfil its international duties or meet its responsibilities in the community of nations."

In order to meet these views put forward by the heads of various delegations, the Conference adopted a number of resolutions on social questions. Two of these in particular call for special notice: the Declaration of the social principles of America and the Charter for women and children.

Declaration of the Social Principles of America

This Declaration states that man must be the centre of interest of all efforts of peoples and Governments. The conditions of poverty,

infirmity and lack of culture under which part of the populations of the Latin American countries live must disappear. This calls for sincere and determined co-operation by all countries of the continent, and more especially those which have reached a high level of economic and financial power. It will be seen that the starting point of this Declaration was the ideas expressed by Mr. Padilla. The Declaration goes on to state that the American nations must develop their social policy, ratify international labour Conventions, and incorporate in their legislation and enforce the principles adopted at the various sessions of the International Labour Conference. They should draw up full plans for social security based on the principles approved by the International Labour Organisation and by the Inter-American Committee on Social Security set up at Santiago, Chile, in September 1942. It was recommended that all the American republics should be members of this Committee. States should give their support to, and where necessary should supervise, social and economic initiative and should co-operate in the realisation of social policies. The Declaration states afresh certain of the rights of the workers, such as the right to strike, the right to a minimum wage adapted to the cost of living, the right to medical aid, etc. It recommends that the funds of social insurance institutions should in some cases be invested for the development of the national economy and for providing fuller employment. It suggests that they might even be used to set up undertakings for the production of consumers' goods required by the workers. The resolution also instructs the Inter-American Juridical Committee to co-operate with the International Labour Organisation in drawing up an inter-American charter of social guarantees, taking into account the Conventions and Recommendations of the International Labour Organisation and the social legislation of the American countries. This draft charter will be submitted to the 9th International Conference of American States to be held at Bogota in 1946.

The Inter-American Juridical Committee, which is thus instructed to co-operate with the International Labour Organisation, is not the only institution entrusted with certain social tasks by the Mexico Conference. Resolution LVI specially recommends that the Technical Economic Conference to be held at Washington in June 1945 should devote its attention to certain social problems such as family protection, improved nutrition, public health and housing and the exchange of information between the American republics on wages and conditions of employment.[1]

[1] For the agenda of this conference, see p. 575.

Charter for Women and Children

The Charter for women and children embodied in resolution LV urges the American countries to ratify or put into effect the Conventions, Recommendations or resolutions concerning women and children adopted by the Inter-American Conferences, the International Labour Conference, the Conferences of American States Members of the International Labour Organisation, and the Pan American Child Congresses. It further recommends that the Inter-American Commission of Women should collaborate with the American International Institute for the Protection of Childhood, the International Labour Organisation and other international bodies concerned in undertaking a study of the problems affecting women and children and the social services required to ensure their welfare. The conclusions of this study would constitute a charter for women and children to be submitted to a subsequent inter-American conference.

Resolution XLV recommends that the American Governments should devote special attention to questions of health and sanitation and should provide the Pan American Sanitary Bureau with the necessary financial and other resources to enable it to carry out its task of co-ordination and technical supervision of health activities in the western hemisphere.

Economic Questions

The social aims enunciated by the Conference cannot be reached save by the development of economic resources. The interest taken by the Latin American countries in the economic problems of the immediate post-war period is clearly shown by the fact that several of the delegations included eminent economists, some of whom are or have been Ministers of Economic Affairs in their respective countries. Since the second half of 1940 the United States has been buying large quantities of raw materials from the Latin American countries and has entered into numerous contracts with Governments or private undertakings. The value of the purchases so far made exceeds $5,000 million. The Latin-American countries fear that on the conclusion of hostilities there will be a sudden suspension of these contracts for the purchase of raw materials before the normal peace-time markets are reopened.

Mr. Clayton's Statement

This problem was frankly faced by Mr. William L. Clayton, Assistant Secretary of State dealing with international economic

relations in the United States, in an important speech at a joint meeting of the fourth and fifth committees. Mr. Clayton admitted that there was some justification for the apprehensions of the Latin American countries. The end of the war would mark the beginning of a difficult period from this point of view. It was true that when the war came to an end the United States intended, if the appropriate legislation were approved, to set up reserves of the raw materials necessary for her own military security and for the United States' contribution to the maintenance of world peace. It was not likely, however, that the United States would build up stocks which had no relation to war requirements, as this would be difficult from the legal point of view and economically undesirable. Nevertheless, there was no need for the Latin American countries to view the post-war period with undue pessimism. The United States would continue to give notice of any curtailment or termination of their contracts for the purchase of raw materials. They would make a point of discussing with the Latin American countries any adjustments which might be necessary so as to ensure that the reduction would cause the least possible disturbance. The American authorities appreciated their responsibility in this respect and would make no attempt to evade that responsibility in so far as their legislation, public opinion, and legitimate economic interests permitted. He pointed out further that the reconstruction and rehabilitation of the European countries would begin immediately on the close of hostilities, and this would open up normal markets for the Latin American countries. It might be asked whether European countries would have any means of payment. Mr. Clayton gave an affirmative reply. Europe could pay in two ways. In the first place, there still existed in countries other than the United States reserves in gold and in dollars amounting to more than $20,000 million. Secondly, it must be remembered that there were possibilities of credit being granted by the International Monetary Fund and the Bank for Reconstruction and Development set up by the Bretton Woods Conference. U.N.R.R.A. would also contribute to the reconstruction of Europe. It was, indeed, expected that in a few years after the war the volume of international trade would reach a much higher figure than in the years preceding the war.

Another question which causes anxiety to the Latin American countries is whether the United States will be in a position after the war to provide the machinery and means of production necessary for their economic development, which they hope to purchase with the dollar reserves accumulated as a result of their surplus exports during the war. The emphasis placed by the Mexico Con-

ference on the industrialisation of Latin America has already been mentioned. Indeed, industrialisation is formally recommended in resolution L, provided that the industries that are created are capable of expanding naturally without permanent high customs protection and provided that private initiative is encouraged and the legitimate interests of national and foreign capital are duly respected. The resolution also requires that:

(*a*) The American republics with an abundant supply of capital will provide the other States with long-term credits at equitable rates of interest;

(*b*) The American republics which produce machinery will endeavour after the war, without discrimination, to fulfil all orders for such goods from other countries which are anxious to become industrialised and to develop their natural resources.

Resolutions XVI and XX also deal in different forms with the problem of the supply of producers' goods for the Latin American States which are anxious to pursue a policy of industrialisation.

Mr. Clayton admitted that after the war it was expected that there would be such a demand for machinery and producers' goods that the United States might find it difficult to meet the requirements of the Latin American nations. In the United States there was an urgent need for the renewal of industrial equipment, for many undertakings had worked uninterruptedly during the war. Nevertheless, American productive capacity had increased considerably in recent years, and in the case of machine tools it was between 12 and 15 times as large as it was before the war. So long as the present system of control over private enterprise continued, the Government of the United States would be in a position to grant the Latin American countries a reasonable allocation of American output. After that the authorities would consider what other means could be adopted to satisfy Latin American demand. In any case the United States recognised that their purchasing operations in the Latin American countries could not be considered as concluded until those countries had received a corresponding return in the form of goods and services. They also realised that it was in their interest to encourage the industrialisation of the Latin American countries so as to secure a rise in the standard of living. As to credits, the Export-Import Bank was prepared to consider requests for loans for any sound measures of economic development. It would, however, refuse to provide credits to undertakings which could not prosper without government subsidies or excessive tariffs. Up to the present the Bank, which had increased its capital

by $500 million in 1940 in order to finance the development of the western hemisphere, had contracted obligations in Latin American countries amounting to more than $800 million, although the sums actually utilised did not exceed $263 million, half of which had already been repaid. Mr. Clayton also repeated some of the views expressed by Mr. Stettinius on the economic policy of the United States, pointing out that after the war that country would favour freedom of trade and individual initiative.

The Economic Charter of the Americas

The economic principles outlined by Mr. Clayton were incorporated in an important resolution adopted by the Conference after a preliminary discussion which lasted for several days in a number of committees. The final text of the Economic Charter of the Americas differs considerably from that originally proposed by the United States delegation. The abolition or even the reduction of tariff barriers, for example, was hotly debated and was opposed by the Latin American countries which are in course of industrialisation. The text adopted by the Conference merely recommends as a common aspiration of the American republics that some formulae should be found to reduce all barriers detrimental to international trade without infringing the rules which can guarantee a rising standard of living for all peoples throughout the world and the improvement of their economic life on a sound basis. The question of the raising of the standard of living was also stressed in the preamble to the Charter, which states that this factor must be taken into account, along with freedom of economic action, in preparing any positive programme of action destined to satisfy the fundamental economic aspirations of the peoples of the Americas. According to the Charter this aspiration, which is shared with all peoples everywhere, "is to be able to exercise effectively their natural right to live decently and work and exchange goods productively in peace and with security". It will be seen that these terms closely resemble those of the Declaration of Philadelphia. Indeed the Charter expressly refers to that important Declaration adopted at the Twenty-sixth Session of the International Labour Conference and lays down the principle that the American republics should endeavour to realise its objectives. The Charter, like many of the other resolutions of the Conference, gives full weight to the social aspect of economic problems. It expressly links the two by stating that an improvement in living conditions depends in the last resort on an increase in individual output resulting from improved industrial equipment.

Among the obstacles to international trade the Charter specifies cartels and other agreements which aim at stifling free competition and preventing the free play of prices. Excessive economic nationalism is also mentioned in the same category, because it leads to dumping and excessive restrictions on imports. The Charter lays down the principle that such practices must be avoided in any sound economic policy.

The Charter further states that the American republics are willing to collaborate in the mobilisation of economic resources until the achievement of final victory, in the maintenance of economic stability during the transitional period from war to peace, and in economic progress by the development of natural resources, industrialisation, the improvement of transportation, the modernisation of agriculture, etc. The co-operation of the American republics with other nations so that all may have free access to raw materials and to the producers' goods required for industrialisation is another principle laid down in the Charter. The following principles are also mentioned:

(1) Fair and equitable treatment for private initiative and for foreign capital, provided that the principles of public interest are respected;

(2) The development of international investment and the stabilisation of currencies;

(3) The bringing into operation as soon as possible of the International Monetary Fund, the International Bank for Reconstruction and Development, and the Food and Agriculture Organisation of the United Nations;

(4) The expansion of consumption and the readjustment of production by national and international measures whenever there is a surplus in any important primary commodity.

It will be seen that the Economic Charter of the Americas enunciates afresh the principles of a liberal economy and the maintenance and encouragement of private initiative in production. It must not, however, be interpreted as a definite commitment, but rather as an expression of the joint aspirations of the American Governments, for it was in this sense that it was adopted by the Conference. It led to one reaction in particular—the speech delivered to the plenary session by Mr. G. del Pedregal, Advisor to the Central Bank and Amortisation Fund of Chile. Speaking on behalf of his delegation he made the following points:

(*a*) If the industrialisation of the Latin American countries

is carried out without co-ordinated international action it may lead to the creation of a number of autarkies in which production would be costly and standards of living low;

(*b*) The foreign capital required for this industrialisation should for preference be invested in the production of new wealth intended for export; national capital should be given a share in the organisation and management of undertakings and should be the only capital used for public utility services;

(*c*) The encouragement of private initiative should not prevent Governments from exercising some control over it when it becomes harmful to the public interest, for it is the duty of Governments to guide the economic development of their countries.

Mr. del Pedregal further pointed out that the Conference had refrained from mentioning economic co-ordination and planning. There was, however, one type of planning which the Latin American Governments should undertake, namely, the type practised in Chile by the Production Development Corporation (*Corporación de Fomento de la Producción*), which existed to make good any lack of private initiative. Encouragement of this kind to the national economic system could not be considered as undue government interference. In connection with those remarks it may be pointed out that the Declaration of social principles of the Americas, mentioned above, suggested that social insurance funds should be invested in undertakings producing consumers' goods for the workers —a proposal originally made by Mr. J. Carlos Vital, former Acting Minister of Labour of Brazil.

The Confederation of Latin American Workers, in a document published by its President, Mr. Lombardo Toledano, after the Conference, criticised some of the resolutions adopted at Mexico, and in particular the Economic Charter of the Americas. While approving the idea of the industrialisation of Latin America the document points out that the investment of foreign capital in Latin America could not produce the desired social results unless there was the necessary State supervision, which, as has been seen, was not mentioned in the Charter. It is further brought out that the application of the principle of liberty advocated by the Charter would not bring the world back to the liberal economy of former times; the only result would be to hamper State control and encourage control by private corporations.[1]

[1] *El Popular*, Mexico, 10 Mar. 1945. Cf. also David EFRÓN: Address at the 49th annual meeting of the American Academy of Political and Social Science, Philadelphia. Release of 14 April. The address will appear in the July number of the *Annals* of the Academy.

Resolution concerning Argentina

It will be remembered that the Argentine Government which came into power after the armed insurrection of June 1944 was not recognised by a number of the American States, so that at the end of 1944 that Government sent a note to the Governing Board of the Pan American Union requesting it to convene, in accordance with the procedure instituted at the Buenos Aires Conference, a meeting of leading American jurists to study the situation. At the date when this request was received the American nations co-operating in the war effort had already begun to discuss the possibility of holding the conference which eventually met in Mexico City. In view of this fact the Governing Board of the Pan American Union considered that this conference would provide an opportunity for considering the Argentine request, which was therefore submitted to the Mexico Conference.

Of all the major questions on the agenda of the Conference, that concerning the request of the Government of Argentina was the only one on which no special committee was set up, nor was the question debated in the speeches made in plenary session. Many speakers, however, expressed their regret at the absence of an Argentine delegation at the Conference. Mr. Leão Velloso, Acting Minister of Foreign Affairs of Brazil, said that the Brazilian people more than any other were in a position to pay tribute to the services rendered to the unity of the American nations by Argentine statesmen, jurists, thinkers and writers.

The resolution on this question states that the union of the twenty-one American republics is indivisible and that the Argentine nation is and always has been an integral part of that union. The circumstances existing before the Mexico meeting had not undergone any change that would have justified the Conference in taking steps to re-establish, as it earnestly desired to do, the unity of the American States in the policy of solidarity that had been strengthened during the deliberations of the Conference. The Conference declared that the Argentine nation had so far not found it possible to take steps which would have permitted her participation in the Conference. It expressed the hope that Argentina would find herself in a position to express her conformity with and adherence to the principles and declarations approved by the Mexico Conference. Recalling the Declaration of Chapultepec, to the effect that it was essential for the American States to maintain complete solidarity in face of any threats or acts of aggression against any one of them, the Conference expressed the hope that the Argentine nation would co-operate with the other American nations in their

common policy so as to become a signatory to the joint declaration of the United Nations. Consequently, the final act of the Mexico Conference remains open for signature by Argentina.[1] Mr. Padilla, as President of the Conference, was authorised to communicate the Conference decision to the Argentine Government through the Pan American Union.[2]

CONCLUSIONS

It will be seen from the above analysis that the Mexico Conference dealt with a number of far-reaching questions in the political field as well as in the economic and social fields. On the political side the most striking features of its work were the desire to strengthen the bonds between American countries, the support it gave to the new world security organisation, and the desire to make the inter-American system an integral and constructive part of that organisation. The Conference also emphasised that economic progress and the raising of the standard of living were increasingly becoming fundamental factors in relations between States. The idea that prosperity is indivisible just as peace is indivisible runs through the whole of its discussions. It can even be asserted in the light of the texts analysed above that the Mexico meeting was an economic and social Conference just as much as a political one, and this view is confirmed by the speeches of the heads of delegations. A detailed examination of those speeches, which was impossible within the limits of this article, would show that the resolutions adopted reflected fully and faithfully the problems which the various American countries are anxious to solve.

It is important to note the stress laid on the industrialisation of Latin America, not as an end in itself but as the most effective means of improving living conditions. The Conference expressly urged that the forthcoming Inter-American Technical Economic Conference should deal also with social problems. Like the Philadelphia Conference, the Mexico Conference closely linked up economic and social problems. This is clearly brought out by the fact that the implementation of the principles of the Declaration of

[1] The attitude of the Confederation of Latin American Workers to the question of Argentina is dealt with in the above-mentioned document published by its President (*El Popular*, Mexico, 10 Mar. 1945). Cf. also the views expressed at the Cali Conference, *International Labour Review*, Vol. LI, No. 2, Feb. 1945, p. 242.

[2] The final texts of the Conference will be deposited in the archives of the Mexican Department of Foreign Affairs, which will send authenticated copies to the Governments of the American republics and, among other organisations, to the Pan American Union, the Secretariat of the League of Nations, the International Labour Office, and the Pan American Sanitary Bureau.

Philadelphia was laid down as one of the principles for the America nations in the Economic Charter of the Americas. Thus the results of the Mexico Conference have a direct bearing on the work of the International Labour Organisation. Its work must also be strengthened by the recommendation made in two different resolutions that the American countries should ratify international labour Conventions and should give effect to other texts adopted by the International Labour Conference, including the Conferences of the American States Members of the International Labour Organisation. The International Labour Organisation received two specific requests for co-operation from the Mexico Conference. It is asked to collaborate with the Inter-American Juridical Committee in drafting an Inter-American Charter on Social Guarantees, and with the American International Institute for the Protection of Childhood and the Inter-American Commission of Women in preparing a Charter for the protection of women and children.